

HUMAN RESOURCE RECORDS RETENTION SCHEDULE

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HUMAN RESOURCE RECORDS

INTRODUCTION: It is the responsibility of the State Controllers Office (SCO), PERSI, the State Insurance Fund, Department of Administration Office of Insurance Management, and Division of Human Resources (DHR) to appropriately maintain certain official state files as well as payroll, pension, insurance, benefit information and employment history.

Each state Agency maintains an employee's active personnel file. Additional official state records are kept by the above Agencies. The employing Agency may retain or destroy reference copies of these documents. If additional and significant information is added to a duplicate then it should be reassessed for retention.

The citations are for informational purposes only.

SG0750. I-9'S - EMPLOYMENT ELIGIBILITY VERIFICATION

Documentation of employment eligibility compliance with the United States Dept of Justice Immigration and Naturalization Service. The retention period below applies to forms completed for all new hires as well superseded or previous forms completed on rehires.

Retention *Record copy:* Retain for 3 years after termination.

Citation(s): 8 CFR 274A.2

SG0752. APPLICATIONS - CLASSIFIED EMPLOYMENT (UNSOLICITED)

Unsolicited applications from individuals requesting employment directly through the agency. Since each agency cannot accept unsolicited applications directly (must first go through DHR), there is no requirement to retain unsolicited applications.

Retention *Record copy:* None (forward to DHR upon receipt).

SG0753. APPLICATIONS - NON-CLASSIFIED EMPLOYMENT (UNSOLICITED)

Unsolicited applications for jobs that are not currently being filled may be destroyed.

Retention *Record copy:*

A. Unsuccessful Applicants:

Retain 4 years.

B. Successful Applicants:

Retain for 5 years after last day of employment.

SG0754. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) AND OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAM (OFCCP) RECORDS

Records generated out of compliance, reporting or complaints filed with the two agencies. May contain reports of OFCCP violations and EEOC reports, investigations, case files, complaints, etc.

Retention *Record copy:*

A. EEOC:

Retain 3 years after resolution.

B. OFCCP:

Retain 3 years after project completion.

Citation(s): Business Requirement (29 CFR 1602.12 – For Reference Only)

SG0760. GARNISHMENTS - TAX LEVEES, COURT ORDERS, CHILD SUPPORT ORDERS, ETC.

Court enforced garnishment orders issued by the legal system through the SCO, who sends out two copies to the Agency. One copy is filed in Agency and the other is forwarded to the employee. Per SCO, each Agency is required to retain their copy of the garnishment to ensure they do not set up employees for direct deposit, or any voluntary deductions, if they have a garnishment. SCO is responsible for receipt, setup, garnishment oversight, sending out copies, answering any employee questions, complaints, and retention.

NOTE: SCO recommends the Agency retain for 3 years. Courts retain indefinitely and sheriff retains for 1 year.

Retention *Record copy:* Retain for 3 years.

Citation(s): Business Requirement (SCO is responsible for retention of original garnishment – 7 years after paid)

SG0765. MEDICAL FILES - TERMINATED EMPLOYEE

Created when an employee has a medical condition (injury or illness – work or non-work related) affecting their ability to work. Files may include information about the situation, physical assessment forms, correspondence, information from physicians and other medical providers, return to work documentation, etc. Medical files may also include information about Workers Compensation, FMLA and ADA cases. Medical records should be kept as confidential as possible, ideally in a separate locked area.

NOTE: These are not Exposure Records (medical/employment questionnaires, tests or histories for occupational exposure history, lists of chemicals employees work with, radiation exposure, etc., which must have their own retention).

Retention *Record copy:* Retain for 5 years after termination. (If involved in court case, retain until settlement plus 5 years.)

Citation(s): IC 41-2115; IC 72-601; IC 72-603; IC 72-701; IC 72-701; and IC 72-706

SG0768. PERSI TRANSMITTAL DOCUMENTS / REPORT

Report issued by PERSI. Contains employer financial adjustments (back pay, regular pay, etc.) conveyed to PERSI. May include Employer Remittance Forms, invoices, correspondence, etc. PERSI conducts an annual audit on these records.

NOTE: PERSI auditors have access to documents from their office.

Retention *Record copy:* Retain until superseded.

Citation(s): Business Requirement

SG0770. PERSONNEL FILES - FORMER EMPLOYEES

Agency copy of employee's employment history. May contain application, resume, personnel actions, performance evaluations, awards and commendations, insurance enrollments, deductions, disciplinary actions, payroll deductions, reprimands, annual performance plan and evaluations, benefit information, insurance beneficiaries (life, group, PERSI, etc.), and other documentation related to employment history.

NOTE: Office of Insurance Management does not receive a copy of the "Beneficiary Designation/Change of Beneficiary/Change Of Name" form, so the agency retains the original.

Retention *Record copy:* Retain for 5 years after last day of employment.

Citation(s): 26 CFR 31.6001-4; 29 CFR 516.1; 29 CFR 516.2; 29 CFR 516.5; 29 CFR 516.6; 29 CFR 1602.12; 29 CFR 1602.14; 29 CFR 1620.32; 29 CFR 1620.33; 29 CFR 1627.3; 29 CFR 1627.3

SG0771. PERSONNEL FILES - ACTIVE EMPLOYEE FILES

The following documents may be purged from employee files after they have reached their individual minimum document retention periods outlined below. This process is included to allow HR the option to eliminate individual documents from active files as they become obsolete.

NOTE: It is up to the Agency to decide if and when individual documents may be purged from a file as the resources (time and employees) may not always be available to comply with this schedule on a regular basis.

Retention *Record copy:*

A. Payroll Deduction Forms:

1. W-4's

Retain 4 years or until superseded, whichever is later (29 CFR 516.6).

2. Flexible Spending

Until superseded (original goes to Office of Insurance Management). (Business Requirement)

B. Medical Applications:

Until superseded (Original goes to Office of Insurance Management). (Business Requirement)

C. Insurance Beneficiary Changes:

1. PERSI

Until superseded. (Original goes to PERSI). (Business Requirement)

2. Life Insurance

Until superseded or employee is approved for long term disability, at which time the original is sent to the Office of Insurance Management. (Business Requirement)

3. Supplemental Insurance (NCPERS, AFLAC, etc.)

Until superseded. (Original goes to OIM) (Business Requirement)

D. Veterans Status Form

1. Retain 60 days after information from form has been entered into statewide payroll system.

Citation(s): IC 45-610; IC 72-601; IC 72-603; IC 72-701; IC 72-1337; 26 CFR 31.6001-2; 26 CFR 31.6001-4; 29 CFR 516.1; 29 CFR 516.2; 29 CFR 516.5; 29 CFR 516.6; 29 CFR 1602.12; 29 CFR 1602.14; 29 CFR 1620.32; 29 CFR 1620.33; 29 CFR 1627.3

SG0780. PROBLEM SOLVING (GRIEVANCE) FILES - EMPLOYEE

Record of complaints and grievances submitted by State employees regarding work place issues (except EEOC complaints). May include employees grievance, investigations, interviews, response, etc.

Retention *Record copy:* Retain for 5 years after last day of employment.

Citation(s): Business Requirement

SG0782. RECRUITMENT FILES - CLASSIFIED POSITIONS

Records involved with the process of recruiting and hiring new employees. May include employment applications, résumés, etc. (see note below), advertisements, vacancy announcements (DHR has an original), registers, interview questions, applicant answers, reference checks, correspondence, etc., including all Agency generated screening and selection documentation.

NOTE: The Agency does not need to retain the applications of those not hired because DHR retains copies of all applications, résumés, and letters of all applicants before forwarding copies to the Agency.

Retention *Record copy:* Retain for 4 years.

NOTE: Non-classified positions, retain for 4 years.

Citation(s): Business Requirement (29 CFR 1602.14 – Reference Only as DHR retains official records)

SG0784. REPORTS - DIVISION OF HUMAN RESOURCES AND CONTROLLERS OFFICE

Miscellaneous reports generated by DHR and SCO, including Alphabetical List Of Employees, Appointment Type Summary, Classified Code List by Agency/ Employees, Deduction Register, Deleted Positions, Health and Dental Insurance Registers, Leave, Life Insurance, Miscellaneous Employee Reports, PCN Expenditure, Payroll Register, Position Lists, etc.

NOTE: SCO is responsible for retention of original reports.

Retention *Record copy:* Until obsolete (destroy when no longer required by the Agency).

Citation: Business Requirement

SG0786. TRAINING RECORDS - EMPLOYEE

This series documents the training each employee received while employed. May include type of training, date(s) received, number of hours, pass/fail documentation, etc.

Retention *Record copy:* Retain for 5 years after last day of employment..

Citation: Business Requirement

SG0787. TRAINING RECORDS - MISCELLANEOUS

This series includes various records created during the training process. May include nomination for training, training registration, pass/fail information, etc.

NOTE: Specialized training or certification documents may require a longer retention period to document the process. Retain as instructed by certifying agency..

Retention *Record copy:* Retain for 2 years.

Citation: Business Requirement

SG0788. TRAINING PROFILES - PROGRAM ADMINISTRATION

This series includes records involved with arranging, facilitating and coordinating training classes. May include course and trainer information, handouts, training dates, accommodations, materials, billing information, etc.

Retention *Record copy:* Retain for 2 years.

Citation: Business Requirement

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